

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GBEKE MICHAEL AWALA,)	
)	
Plaintiff,)	
)	
v.)	Civ. No. 07-531-SLR
)	
CHIEF JUSTICE JOHN G. ROBERTS,)	
CHIEF JUDGE ANTHONY J. SCIRICA,)	
JUSTICE SAMUEL ALITO, JR.,)	
CIRCUIT JUDGE KENT A. JORDAN,)	
CIRCUIT JUDGE THOMAS L. AMBRO,)	
SENATOR ARLEN SPECTOR,)	
CHIEF JUDGE SUE L. ROBINSON,)	
UNITED STATES ATTORNEY COLM F.))	
CONNOLLY, CLERK MARCIA M.)	
WALDON, CLERK DONALD BAKER,)	
CLERK WILLIAM K. SUTER, and)	
DISTRICT JUDGE GREGORY SLEET,)	
)	
Defendants.)	

ORDER

WHEREAS, plaintiff filed a civil rights action pursuant to 42 U.S.C. § 1983 without prepayment of the filing fee;

WHEREAS, on October 19, 2007, the court entered an order denying leave to proceed in forma pauperis because plaintiff had three prior suits dismissed as frivolous or for failure to state a claim upon which relief may be granted, and the instant complaint does not allege an imminent threat of physical injury (D.I. 6);

WHEREAS, plaintiff appealed the order to the U.S. Court of Appeals for the Third Circuit and the appeal was dismissed for failure to timely prosecute, Awala v. Roberts, No. 07-4308 (3d Cir. Jan. 23, 2007);

WHEREAS, subsequent to dismissal of the appeal, and to date, plaintiff has not

paid the \$350.00 filing fee owed to this Court;

THEREFORE, at Wilmington this 14th day of February, 2008, IT IS HEREBY ORDERED that:

1. Plaintiff's pending motions (D.I. 5, 7) are **denied as moot**.
2. Plaintiff's complaint is **dismissed without prejudice** and the case remains **closed**.


UNITED STATES DISTRICT JUDGE